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BY THE SENATE,

February 27th, 1860.

Read, and ordered to be printed.

MINORITY REPORT

OF THE

COMMITTEE ON CORPORATIONS

RELATIVE TO THE

BALTIMORE CITY PASSENGER RAILWAY.

REPORT

To the Honorable, the House of Delegates of the General Assembly of Maryland:

The undersigned, members of your Committee on Corporations, under a deep sense of their duty to your Honorable House, their constituents in the city of Baltimore, and to the State of Maryland, most respectfully ask leave to submit this, a minority report in relation to the Baltimore City Railroad, with their views on the evidence upon that matter which has been adduced before the committee, and to which they have endeavored to give a deliberate and careful consideration.

From the whole of the evidence, the undersigned are unable to resist the conclusion in their own mind that in the incipient and subsequent means which have been had recourse to in connection with the street railways in the city of Baltimore, the taint of fraud and corruption is but too truly applicable! That the assignees of the grant from the Mayor and City Council of Baltimore had any *bona fide* intention of carrying out the provisions of the seventh section of the ordinance under which they claim appears to the undersigned highly questionable, although, in the opinion of the undersigned, the faithful execution of that part of the ordinance was an essential requisite to the legality of the assignment of the grant created by that ordinance, and any attempt to set aside and defeat the objects and purposes of the said seventh section, and to apply and appropriate the fruits of the grant differently from the evident designs of the grantors and the express terms of the ordinance itself, would amount, in the judgment of the undersigned, to an absolute forfeiture of the grant and a relinquishment by the grantees or their assigns of all the benefits and profits to be expected from its operations.

The general tenor of the evidence brought before the Committee satisfies the undersigned, if not of the existence of positive fraud, yet of evident complicity on the part of the as-

signees and their friends or agents in the various transactions that have attended the history of the measure. And which, in the opinion of the undersigned, to vitiate their whole proceedings and deprive them of the consideration of the Legislature of Maryland in seeking a protection and confirmation of the grant from the General Assembly, and an acquaintance and absolution from the consequences of their manifestly improper proceedings in connection with the grant of the Mayor and City Council of Baltimore.

The evidence given by many of the witnesses satisfies the undersigned that whatever names nominally might be set forth as the grantees and executors of the city ordinance in the case, the capital and resources of Mr. Brock and his associates were the means relied upon by the grantors or many of them, for carrying into effect the objects and purposes of the grant in question; and so far, therefore, the framers of the ordinance creating the grant appear to have acted with a duplicity and unfairness which the undersigned cannot but look upon with suspicion and reprehension.

In justice to Mr. Brock and his associates in the business, the undersigned willingly admits their undoubted right and legitimate privilege to employ their enlarged capabilities in the furtherance and formation of street railways, wherever opportunities therefor are properly presented. And in this particular case, the undersigned is under the impression that from the train of very peculiar circumstances that surround it, Mr. Brock and his associates may have been placed in a position calculated to reflect more injuriously upon them than the evidence in the premises would justly seem to warrant.

On the foregoing grounds, therefore, (to wnich the undersigned have had time only very briefly to allude to,) they are compelled to differ from the report of their colleagues.

ROBERT TURNER,
GEO. H. MORGAN.

House of Delegates, Annapolis, Feb. 27, 1860.